(*DeVito*). For at least the reasons set forth below, Applicant submits that claims 1, 3-9,

12, 15, 18, 19-21, 23, 25-27, 30, 31 and 33 are not anticipated by *DeVito*.

Claim 1 recites the following:

a motion detection sensor(s), to detect motion of the computing device in one or
more of six (6) fields of motion and to generate an indication of such motion; and
a motion control agent, responsive to motion indications received from the one or
more motion detectors, to selectively generate control signals to modify one or more of
the operating state and/or the displayed content of the computing device based, at least in
part, on the motion indications.

Claim 26 is a method claim, and recites similar limitations. Claim 33 is drawn to

a storage medium comprising a plurality of executable instructions that implement the

method of claim 26. A proper rejection under 35 U.S.C. § 102 requires that a single prior

art reference teach each and every element of the rejected claim. See MPEP § 2131.

DeVito discloses a non-orbiting tomographic device for use in gamma ray or x-ray

imaging that acquires projection data of a patient or object of interest from multiple

directions. See col. 5, lines 44-48; col. 15, lines 20-23. Each embodiment of the non-

orbiting tomographic device is constructed of small detector modules, each consisting of

a photon-sensitive radiation detector that detects ionizing radiation. See col. 5, lines 48-

51 and 58-61; col. 15, lines 33-38. *DeVito* does not disclose a motion detector sensor to

detect motion of a computing device in one or more of six fields of motion, as claimed in

claims 1, 26 and 33. Consequently, *DeVito* fails to teach at least one element of claims 1,

26 and 33, and thus does not anticipate these claims. Therefore, Applicant respectfully

requests that the Examiner withdraw the rejection of claims 1, 26 and 33 under 35 U.S.C.

§ 102.

Claims 3-9, 12 and 15 depend from claim 1. Claims 27, 30 and 31 depend from

claim 26. Because dependent claims include the limitations of the claims from which

they depend, Applicant submits that claims 3-9, 12, 15, 27, 30 and 31 are not anticipated by *DeVito* for at least the reasons set forth above, and thus are in condition for allowance.

Claim 18 recites the following:

A storage medium comprising a plurality of <u>executable instructions which, when implemented by a computing device,</u> cause the machine to implement a motion control agent to <u>receive indication(s) that the computing device is being physically manipulated</u> in one or more of six (6) fields of motion and to generate control signals to modify one or more of the operating state and/or displayed content of the computing device in response to such indication(s).

DeVito discloses a means of synchronizing photon event data with non-photon information. See col. 13, lines 36-38; col. 16, lines 16-25. Non-photon information may include motion subsystem information, such as <u>detector module position or viewing direction information</u>. See col. 4, lines 5-6; col. 13, lines 35-53. The synchronized <u>photon and non-photon information are provided to a data acquisition computer</u>, which uses the information to reconstruct and display a tomographic image. See col. 4, lines 7-10; col. 16, lines 25-40. *DeVito* does not disclose a plurality of executable instructions which, <u>when implemented by a computing device,</u> cause a machine to implement a motion control agent to receive indication(s) that <u>the computing device is being physically manipulated</u> in one or more of six (6) fields of motion, as claimed in claim 18. Consequently, *DeVito* fails to teach at least one element of claim 18, as is required for a proper rejection under 35 U.S.C. § 102, and thus does not anticipate this claim. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of claim 18 under 35 U.S.C. § 102.

Claims 19-21, 23 and 25 depend from claim 18. Because dependent claims include the limitations of the claims from which they depend, Applicant submits that

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claims 19-21, 23 and 25 are not anticipated by *DeVito* for at least the reasons set forth above, and thus are in condition for allowance.

Claim Rejections - 35 U.S.C. § 103

Rejection of Claim 2 Based on *DeVito* in view of *Berger* and *Shore*

Claim 2 was rejected under 35 U.S.C. § 103 as being unpatentable over *DeVito* in view of U.S. Patent No. 4,214,485 issued to Berger et al. (*Berger*) and U.S. Patent No. 5,128,655 issued to Shore (*Shore*). For at least the reasons set forth below, Applicant submits that claim 2 is not rendered obvious by *DeVito* in view of *Berger* and *Shore*.

Claim 2 depends from claim 1. Dependent claims include the limitations of the claims from which they depend. As established above, *DeVito* fails to teach at least one element of claim 1, and thus *DeVito* in view of *Berger* and *Shore* fails to teach at least one element of claim 2. Consequently, claim 2 is not rendered obvious by *DeVito* in view of *Berger* and *Shore* for at least the reasons set forth above. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of claim 2 under 35 U.S.C. § 103.

Rejections of Claims 10, 11, 13, 14, 16, 17, 22, 24, 28, 29 and 32 Based on *DeVito* in view of *Briffe* and *Simske*

Claims 10, 11, 13, 14, 16, 17, 22, 24, 28, 29 and 32 were rejected under 35 U.S.C. § 103 as being unpatentable over *DeVito* in view of U.S. Patent No. 6,242,743 issued to Briffe et al. (*Briffe*) and U.S. Patent No. 6,385,351 issued to Simske et al. (*Simske*). For at least the reasons set forth below, Applicant submits that Claims 10, 11, 13, 14, 16, 17, 22, 24, 28, 29 and 32 are not rendered obvious by *DeVito* in view of *Briffe* and *Simske*.

Claims 10, 11, 13, 14, 16 and 17 depend from claim 1. Dependent claims include the limitations of the claims from which they depend. As established above, *DeVito* fails to teach at least one element of claims 1, 18 and 26, and thus *DeVito* in view of *Briffe* and *Simske* fails to teach at least one element of claims 10, 11, 13, 14, 16, 17, 22, 24, 28, 29 and 32. Consequently, claims 10, 11, 13, 14, 16, 17, 22, 24, 28, 29 and 32 are not rendered obvious by *DeVito* in view of *Briffe* and *Simske* for at least the reasons set forth above. Therefore, Applicant respectfully requests that the Examiner withdraw the rejections of claims 10, 11, 13, 14, 16 and 17 under 35 U.S.C. § 103.

CONCLUSION

Applicant respectfully contends that all rejections have now been overcome. Allowance of the claims is earnestly solicited. If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

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